

REMARKS

Entry and reconsideration of the claims is respectfully requested, because it is believed that the claim amendments clarify the patentably distinguishing features of the present invention and should not entail any further search by the Examiner since no new features are being added or no new issues are being raised, because the amendments emphasize a feature recited in dependent claim 12, and generally focus on the first and second embodiments of the present invention as shown in FIGS. 1 and 2 of the present Application, which should have already been considered by the Examiner. It is believed that the claim amendments place the application in condition for allowance.

The Manual of Patent Examining Procedures sets forth in §714.12 that "[a]ny amendment that would place the case either in condition for allowance or in better form for appeal may be entered." (Underlining added for emphasis) Moreover, §714.13 sets forth that "[t]he Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

STATUS OF CLAIMS

Claims 1-21 are pending.

The Examiner maintains the rejections of claims 5 and 7-15 as being anticipated under 35 USC 102(b) over Hsu (US Patent No. 5,907,604).

Claims 1, 4, 17-18 and 21 are newly rejected under 35 USC 103(a) as being unpatentable over Knowles (US Patent No. 6,505,348) in view of Hsu. Knowles is newly relied upon.

Claims 2-3 are newly rejected under 35 USC 103(a) as being unpatentable over Knowles in view of Hsu and further in view Willis (US Patent No. 6,173,115). Knowles is newly relied upon.

The Examiner maintains the rejections of claims 6, 16, and 19-20 under 35 USC 103(a) as being unpatentable over Hsu in view of Willis.

Claims 1-3, 5-8, 10-21 are amended, and, thus, claims 1-21 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment. The forgoing rejections are hereby traversed.

REJECTIONS

Claims 1, 5, 19, 20 and 21 are independent. The Examiner newly relies on Knowles to reject independent claims 1 and 21. The rejection of independent claims 5, 19 and 20 has been maintained.

INDEPENDENT CLAIMS 1 and 21

In regard to Knowles and independent claims 1 and 21, Knowles discloses a multiple interactive program guide (IPG) system implemented in a TV set top box. In Knowles, the IPG menu includes telephone services as shown in FIG. 18. In particular, the Examiner appears to assert that Knowles displays a caller ID on the TV during a TV program as one of the IPG telephone services (FIGS. 20 and column 22, line 60 to column 23, lines 1-54), which is allegedly similar to the present invention's receiving in an entertainment system call manager a signal indicating that there is an incoming call (claim 1). Knowles also appears to provide a telephone message service through the TV as shown in FIG. 22. In particular, Knowles provides a telephone service menu button 168 in FIGS. 20 and 22 upon displaying a caller ID in FIG. 20 and upon displaying a message waiting pop-up in FIG. 22. However, Knowles does not allow call handling options. In particular, the menu button 168 brings the menu 174 of FIG. 23, which allows caller ID setup, call ID log, and message setup (column 23, lines 33-54), which does not allow call handling options. The Examiner admits that Knowles does not provide call handling options in page 6 of the Action. Therefore, the Examiner relies on Hsu for the present invention's call handling options.

The first and second embodiments of the present invention (FIGS. 1, 2, and 5) are patentably distinguishing over the relied upon references, including Knowles and Hsu, because in contrast to Knowles and Hsu, the claimed invention uses a call management server 1 at the telephone network that is in communication with the entertainment system 10 via a data network selected from one or more of Internet and a cable network. The recitations of claims 1 and 21 regarding, "a signal indicating that there is an incoming call," are further amended for clarity to expressly differentiate a caller ID service from the present invention's held (waiting) call and call handling information transmitted via a data network to/from the subscriber entertainment system, as shown in FIGS. 1, 2 and 5 of the Application. Support for the claim amendments can be found, for example, in paragraphs 17, 24-34, FIGS. 1, 2, and FIG. 5, operations 100, 102 and 110, of the present Application. Therefore, there are two patentably

distinguishing differences between the alleged combination of Knowles and Hsu, and the first and second embodiments of the present invention.

First, as admitted by the Examiner, Knowles does not handle an incoming call, but Hsu also does not disclose the present invention's call handling option a claimed, and, second, Knowles and Hsu, use a standard caller ID service, which differs from the present invention's amended claim 1 recitations, "holding in the telephony-network-resident call management server a call on the telephony provider network for the entertainment system prior to routing the call to the entertainment system, in response to the notifying; receiving in anthe entertainment system call manager a held call signal indicating that there is an incoming held call, during a program play by the entertainment system to a user, via the data network from the telephony-network-resident call management server."

In regard to the first difference, the Examiner relies on Hsu for call handling, which discloses a video telephone using caller ID information of an incoming call to match an image icon with the caller ID and allowing the user to accept or reject the incoming call via the image icon corresponding to the caller ID (Hsu, column 3, line 65 to column 4, line 50). However, Hsu relies on the standard caller ID, and Hsu does not disclose or suggest, "handling the incomingheld call in accordance withaccording to a call handling option selected by the user through the entertainment system and provided via the data network to the telephony-network-resident call management server (amended claim 1)."

In regard the second difference, a caller ID service is caller information provided via the telephone network along with a routed call to a device, and the device has standard circuitry for decoding the caller ID information to display as the call is being received by the device (e.g., the receiving telephone is ringing). The third embodiment of the invention (FIG. 3) as disclosed in paragraph 35 relies on a standard caller ID, and paragraph 35 provides that a Caller ID subscription for the subscriber's telephony carrier would be necessary. Because Knowles and Hsu disclose using a caller ID service, they would have to rely on a telephony provider network providing caller ID information on a telephone line. However, in contrast to Knowles and Hsu, the claimed invention relies on "a data network."

More particularly, in contrast to Knowles and Hsu, in the claimed invention an incoming call on the telephony network is held at a call management server residing in the telephony provider network, and information about the held call is provided via a data network by the telephony-network-resident call management server to the entertainment system prior to routing the call to the entertainment system (paragraphs 17, 24 and 26-27, FIGS. 1, 2, and FIG.

5, operations 100, 102 and 110, of the present Application), which differs from a caller ID service provided over a telephone network along with a routed call to a device (i.e., call ID is provided as the call is received at the telephone, such that the telephone rings).

Independent claims 1 and 21, using the recitation of claim 1 as an example, are amended as follows:

1. (CURRENTLY AMENDED) A method of managing calls through an entertainment ~~entersystem~~, comprising:

notifying by an entertainment system call manager, via a data network, a call management server residing in a telephony provider network to monitor calls on the telephony provider network for the entertainment system;

holding in the telephony-network-resident call management server a call on the telephony provider network for the entertainment system prior to routing the call to the entertainment system, in response to the notifying;

receiving in anthe entertainment system call manager a held call signal indicating that there is an incoming held call, during a program play by the entertainment system to a user, via the data network from the telephony-network-resident call management server;

presenting by the call manager selectable call handling options in response to the incomingheld call signal through the entertainment system during the program play; and

handling the incomingheld call in accordance withaccording to a call handling option selected by the user through the entertainment system and provided via the data network to the telephony-network-resident call management server.

In regard to the dependent claim 12 telephony server notification feature, which the Examiner rejects based upon Hsu, column 3, lines 31-48 (page 3 of the Office Action), the dependent claim 12, and the independent claims 1, 19, 20, and 21, have been amended to expressly clarify that the present invention provides, "notifying by an entertainment system call manager, via a data network, a call management *server residing in a telephony provider network to monitor calls on the telephony provider network for the entertainment system.*"

A benefit of the claimed invention is that by locating a call management server in the telephony provider network and in communication with a subscriber entertainment system via a data network, a call monitoring system can be provided to manage calls through the TV. The call management server at the telephone network and the data network allow for a more

efficient and robust call handling functionality, because the call management server can more efficiently communicate with the entertainment system and control call handling, for example, by controlling a voice messaging system also located at the telephone network. The Examiner admits that Knowles does not allow call management through the TV, which is because Knowles only interprets standard caller ID data and provides the data on the TV.

Further, Hsu does not allow call management through the video phone when connected to a TV, because Hsu only relies on interpreting the caller ID data, associating images with the caller ID data, and depending on a user selection answering or not answering the already received telephone call at the videophone.

INDEPENDENT CLAIM 5

In regard to independent claim 5, claim 5 is amended as follows:

5. (CURRENTLY AMENDED) A call management system comprising:
 - a call management server residing in a telephony provider network and in communication with a subscriber entertainment system via Internet and/or cable data networks, and holding a call on the telephony provider network for the subscriber entertainment system prior to routing the call to the subscriber entertainment system; and
 - a television call manager connected to an the subscriber entertainment center system to receive a held call signal from the call management server via the data network indicating that an incoming a held call during a program play by the entertainment system is waiting at the call management server.

None of the relied upon references disclose or suggest the claimed invention as recited in amended independent claim 5, by providing a telephony-network-resident server routing (holding) telephone calls, and informing a subscriber television call manager via a data network about the held call.

INDEPENDENT CLAIMS 19 and 20

In regard to independent claims 19 and 20, the Examiner relies on Willis for disclosing the present invention's pausing and recording a television program when a call is received. In particular, Willis discloses recording a TV program during an interruption, such as a telephone call (column 5, line 56 to column 6, line 1). However, in Willis, the telephone call refers to a conventional telephone call to be manually picked up by a user. In other words, the system of Willis does not receive a telephone call signal. Therefore, Hsu, Knowles, and Willis do not disclose or suggest:

receiving an incoming call through the entertainment centersystem call manager a held call signal indicating a held call, during a program play by the entertainment system to a user, via the data network from the telephony-network-resident call management server;

automatically pausing and recording a television program played through the entertainment centersystem when the incomingheld call signal is received; and

resuming the television program when the incomingheld call at the telephony-network-resident call management server is terminated (amended claim 19).

Independent claims 19 and 20 are also further amended similar to amended independent claims 1 and 21, which expressly emphasize the difference between a caller ID service and the telephony-network-resident call management server 1 of the present invention.

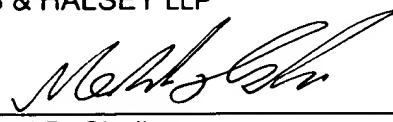
CONCLUSION

In view of the amendments and remarks presented above, it is respectfully submitted that the application is in condition for allowance, and withdrawal of the rejection of claims 1-21 and allowance of claims 1-21 is respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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